

BEFORE THE  
**Federal Communications Commission**

WASHINGTON, D. C.

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In re

Amendment of 73.3526(d)

Location of Local Public

Inspection File

RM Nos. 8855, 8856, 8857

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FEDERAL COMMUNICATIONS COMMISSION  
OFFICE OF SECRETARY

**REPLY COMMENTS IN SUPPORT OF PETITIONS FOR RULEMAKING**

Odyssey Communications, Inc. ("Odyssey"), the licensee of AM and FM radio stations in New York and California, hereby submits its Reply Comments in support of the Comments urging the Commission to grant the above-captioned Petitions for Rulemaking (the "Petitions"). 1/ The Petitions propose the amendment of Section 73.3526(d) of the Commission's rules to allow a broadcaster to maintain its public inspection file at its main studio only, whether or not its main studio is located within the station's community of license.

The current public file rule, which requires broadcasters to maintain a public inspection file within their communities of license, is overly burdensome for stations with main studios located outside of their communities of license. Such stations are often required to pay a fee to the facilities where the public inspection files are maintained. In addition, the labor costs involved in maintaining a public

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1/ Specifically, Odyssey supports the Comments filed by the National Association of Broadcasters, Hardy & Carey, L.L.P., Salem Communications Corporation, Apex Associates, Inc., Armak Broadcasters, Inc., Starview Media, Inc., Mountain View Broadcasting Company, Silverado Broadcasting Company, and Second Generation of Florida Ltd. (the "Commenters").

inspection file outside of the main studio are much higher than the costs involved in maintaining the file at the main studio, since employees must travel outside of the main studio every time a new document arrives for the public inspection file.

Copying expenses also are much higher since, in order to serve their communities, stations with main studios located outside of their communities of license often maintain *two* public inspection files -- one in the community of license to satisfy the Commission's rules, and one at the main studio to serve members of the public, who routinely expect to find the public inspection file at the main studio.

Not only would the proposed change in Section 73.3526(d) decrease the burdens on broadcasters, but it would be more useful to the public. Since the public inspection file rule is designed to serve the public, public inspection files should be maintained in locations where the public is most likely to look for them. 2/ A broadcaster's main studio is such a location; the public library, local business and

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2/ Odyssey agrees with the National Association of Broadcasters that broadcasters should not be required to take extraordinary efforts -- such as providing round-trip transportation, delivering the public file to individuals, or responding by telephone or mail requests for public documents -- to make the public inspection files available to the public. See Comments of National Association of Broadcasters at 4-5. The proposal to allow broadcasters to maintain their public inspection files at their main studios would ensure the adequate availability of the public inspection files to members of the community.

local attorney's office are not. Accordingly, the Commission should grant the Petitions and propose the amendment of Section 73.3526(d).

Respectfully submitted,

ODYSSEY COMMUNICATIONS, INC.

By: Michelle M. Shanahan  
Marissa G. Repp  
Michelle M. Shanahan

HOGAN & HARTSON L.L.P.  
Columbia Square  
555 Thirteenth Street, NW  
Washington, DC 20004  
(202) 637-5600

Its Attorneys

September 27, 1996

## **CERTIFICATE OF SERVICE**

I, Daphene M. Jones, a secretary in the law firm of Hogan & Hartson L.L.P., hereby certify that on this 27th day of September, 1996, copies of the foregoing Reply Comments in Support of Petitions for Rulemaking were sent by first-class U.S. mail to the following:

Anne Goodwin Crump, Esq.  
Fletcher, Heald & Hildreth  
1300 N. 17th Street  
Eleventh Floor  
Rosslyn, VA 22209

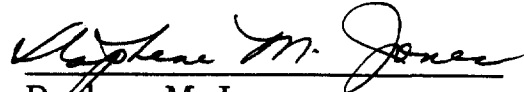
Ashton R. Hardy  
Bradford D. Carey  
Hardy and Carey, L.L.P.  
111 Veterans Blvd. Suite 255  
Metairie, LA 70005

Lauren A. Colby, Esq.  
Law Office of Lauren A. Colby  
10 E. Fourth St.  
P.O. Box 113  
Frederick, MD 21705-0113

Henry L. Baumann, Esq.  
Terry L. Etter, Esq.  
National Association of Broadcasters  
1771 N Street N.W.  
Washington, D. C. 20036

David Tillotson, Esq.  
4606 Charleston Terrace, N.W.  
Washington, D. C. 20007-1911

Todd D. Gray, Esq.  
Margaret L. Miller, Esq.  
Dow, Lohnes & Albertson  
1200 New Hampshire Avenue N.W. #800  
Washington, D. C. 20036-6802

  
Daphene M. Jones